

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on January 27, 2011 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Terry Murphy, Chair (R)
Sen. Jim Shockley, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Anders Blewett (D)
Sen. Greg Hinkle (R)
Sen. Rowlie Hutton (R)
Sen. Larry Jent (D)
Sen. Cliff Larsen (D)
Sen. Lynda Moss (D)
Sen. Jim Peterson (R)
Sen. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SR 2, 1/20/2011; SB 175, 1/20/2011

Executive Action: SR 2-Be Adopted; Confirmation of Chief Water Judge Bruce Loble

HEARING ON SR 2

Opening Statement by Sponsor:

00:00:53 Sen. Jim Shockley (R), SD 45, opened the hearing on SR 2, Confirm Bruce Loble as Chief Water Judge.

[**EXHIBIT\(jus21a01\)**](#)

Proponents' Testimony:

00:01:30 Mike McGrath, Chief Justice, Montana Supreme Court

[**EXHIBIT\(jus21a02\)**](#)

Opponents' Testimony:

None

Informational Testimony:

00:03:40 Bruce Loble, Chief Water Judge, State of Montana

Questions from Committee Members and Responses:

00:10:00 Sen. Augare

00:10:22 Judge Loble

00:16:19 Sen. Larsen

00:16:53 Judge Loble

Closing by Sponsor:

00:19:51 Sen. Shockley

EXECUTIVE ACTION ON SR 2

00:21:07 **Motion:** Sen. Shockley moved that **SR 2 BE ADOPTED: CONFIRMATION OF CHIEF WATER JUDGE, BRUCE LOBLE.**

Discussion:

00:21:37 Sen. Blewett

00:21:45 **Vote:** Motion that **SR 2 BE ADOPTED: CONFIRMATION OF CHIEF WATER JUDGE, BRUCE LOBLE** carried unanimously by roll call vote.

HEARING ON SB 175

Opening Statement by Sponsor:

00:23:07 Sen. Jim Peterson (R), SD 15, opened the hearing on SB 175, Referendum to reform method of supreme and district courts judicial selection.

Proponents' Testimony:

00:34:33 Karla Gray, self, former Chief Justice, Montana Supreme Court

[EXHIBIT\(jus21a03\)](#)

[EXHIBIT\(jus21a04\)](#)

00:54:00 Rep. Ken Peterson, HD 46, Attorney

01:02:33 Mark Mackin, Attorney

[EXHIBIT\(jus21a05\)](#)

01:10:12 Jacqueline Lenmark, self

01:15:33 Rita Blouke, Vice President, Helena League of Women Voters

01:19:00 Tom Ebzery, Attorney

01:23:16 Deborah Butler, Attorney

Opponents' Testimony:

[EXHIBIT\(jus21a06\)](#)

Letter dated January 26, 2011 from Judge John C. McKeon, Malta, mailed to committee

Informational Testimony:

01:25:49 Scott Crichton, Executive Director, American Civil Liberties Union(ACLU)

Questions from Committee Members and Responses:

01:27:28 Sen. Blewett

01:28:53 Ms. Gray

01:33:05 Sen. Hinkle

01:33:43 Sen. Peterson

01:34:38 Ms. Gray

01:35:40 Sen. Vincent

01:36:16 Ms. Gray

01:38:55 Sen.. Shockley

01:40:41 Ms. Gray

01:42:12 Sen. Augare

01:44:19 Ms. Gray

01:50:23 Sen. Blewett

01:51:58 Ms. Gray

01:57:55 Sen. Murphy

01:58:01 Sen. Blewett

01:58:21 Ms. Gray

01:58:40 Sen. Hutton

Closing by Sponsor:

01:59:54 Sen. Peterson

Committee Business:

02:07:08 Sen. Murphy

EXHIBIT(jus21a07)

Regarding SB 42, heard in committee on January 20, 2011

ADJOURNMENT

Adjournment: 11:07 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus21aad.pdf](#))